

1 ANGELA H. DOWS, ESQ.
2 Nevada Bar No. 10339
3 adows@crdslaw.com
4 CORY READE DOWS & SHAFER
1333 North Buffalo Drive, Suite 210
Las Vegas, Nevada 89128
Telephone: (702) 794-4411
Facsimile: (702) 794-4421
5 Attorney for Defendant Henrietta Binford

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

10 UNITED STATES OF AMERICA,)
11 Plaintiff,) 2:21-cr-00236-JAD-EJY-1
12 v.)
13 HENRIETTA BINFORD,) **STIPULATION TO CONTINUE**
14 Defendant.) **MOTIONS DEADLINE ONLY**
) (Ninth Request)

IT IS HEREBY STIPULATED by and between Jason M. Frierson, United States
Attorney, as well as Christopher Burton and Steven W. Myhre, Assistant United States
Attorneys, Counsel for the United States of America; and Angela H. Dows, Esq., counsel for
Defendant HENRIETTA BINFORD, that the pretrial motions and notices of defense deadline be
moved for approximately forty-five (45) days, to on or before October 5, 2023. The instant
stipulation is not intended to request a continuance of the current calendar call and trial dates of
December 11, 2023 and December 19, 2023, respectively.

24 This is the ninth overall request for a continuance in this case, and the eighth request by
25 instant counsel for Defendant HENRIETTA BINFORD. This Stipulation is entered into based
26 upon the following:

27 1. That the parties request a continuance of the motions and notices of defense
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1 deadline, which is currently set to expire on August 21, 2023.

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3 2. The requested extension of the pretrial motions and notice of defense deadline

4 from August 21, 2023 to October 5, 2023 is, in part, to allow for continued

5 negotiation of the case, and the particular terms of the plea agreement, without

6 providing details of negotiations thereon.

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8 3. One additional aspect, in general terms, is the review of information as to the loss

9 amount(s) and/or restitution amount(s) calculated and whether there were offsets

10 or reductions that were not previously computed in said amount(s). This analysis

11 requires additional investigation by defense counsel and an investigator.

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13 4. That counsel for Defendant has conferred with her client, who does not object to

14 the requested continuance.

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16 5. That the additional time requested herein is not sought for purposes of delay, but

17 merely to allow the parties sufficient time by which to investigate, research,

18 respond and litigate any pretrial motions and/or defenses deemed necessary prior

19 to trial.

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21 6. The additional time requested by this stipulation does not request an extension of

22 the time of trial. To the extent required, the additional time period requested to

23 continue the matter serves the ends of justice and outweighs the best interest of

24 the public and the defendant in a speedy trial pursuant to the Speedy Trial Act,

25 specifically 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B).

26

27 7. Pursuant to 18 U.S.C. § 3161(h)(7)(B)(i) and (ii) denial of this request for

28 continuance would result in a miscarriage of justice, as additional time is needed

by which to effectively and thoroughly research and prepare for trial within the

time limits established by 18 U.S.C. §3161, taking into account the exercise of

1 due diligence.

2 8. For all the above-stated reasons, the ends of justice would best be served by a
3 continuance of the pretrial motions and notices of defense deadline.

4 DATED this 27th day of July, 2023.

5
6 JASON M. FRIERSON
7 United States Attorney
8 By: /s/ Steven W. Myhre
9 STEVEN W. MYHRE
10 Assistant United States Attorney
11 By: /s/ Justin Washburne
12 JUSTIN WASHBURN
13 Assistant United States Attorney
14 Counsel for Plaintiff

15 CORY READE DOWS & SHAFER
16 By: /s/ Angela H. Dows
17 ANGELA H. DOWS, ESQ.
18 Appointed Counsel for Defendant
19 Henrietta Binford

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,)
Plaintiff,) 2:21-cr-00236-JAD-EJY-1
)
)
)
v.) **FINDINGS OF FACT,**
HENRIETTA BINFORD,) **CONCLUSIONS OF LAW, AND**
Defendant.) **ORDER THEREON**
)
)

FINDINGS OF FACT

Based on the pending Stipulation of the parties, and good cause appearing therefore, the Court finds that:

1. Defense counsel requires a continuance of the motions and notices of defense deadline in order to review and research the case, including the review by one or more persons including hired investigator(s) in the case.

2. The parties also request additional time to effectively represent their clients in appropriately preparing the case for trial, however do not request an extension of the calendar call or trial dates at this time.

3. Defendant does not object to the continuance.

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2 **CONCLUSIONS OF LAW**

3 1. The additional time requested by this stipulation does not extend the time of trial.
4 The period was previously found excludable in computing the time within which the trial herein
5 must commence pursuant to the Speedy Trial Act, specifically 18 U.S.C. § 3161(h)(7)(A) and
6 (h)(7)(B).

7 2. Denial of this request for continuance would result in a miscarriage of justice, as
8 additional time is needed by which to review the case, in a case involving charges of Healthcare
9 Fraud and Aiding and Abetting, Aggravated Identity Theft and Aiding and Abetting, and False
10 Statements Relating to Health Care Matters and Aiding and Abetting pursuant to 18 U.S.C. §
11 1347; 18 U.S.C. § 1028A; 18 U.S.C. § 1035(a) and 18 U.S.C. § 2.

12 3. Denial of this request for continuance would also deny the parties herein
13 sufficient time and the opportunity within which to effectively and thoroughly research and
14 prepare for trial within the time limits established by 18 U.S.C. §3161, taking into account the
15 exercise of due diligence. For the above-stated reasons, the ends of justice would best be served
16 by a continuance of the motions and notices of defense deadline, and such continuance
17 outweighs the best interests of the public and the defendants in a speedy trial.

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ORDER

IT IS THEREFORE ORDERED that the parties shall have to and including October 5,

2023 within which to file any and all pretrial motions and notices of defense.

IT IS SO ORDERED.

Dated: August 1, 2023.

UNITED STATES DISTRICT JUDGE